Public Laws: 103rd Congress / 1st Session / Senate Bills / 1993 / File 2

103D CONGRESS
1ST SESSION

S. 834

To amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 28 (legislative day, APRIL 19), 1993

Mr. GRASSLEY (for himself and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for physician assistants, to increase the delivery of health services in health professional shortage areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Physician Assistant Incentive Act of 1993".

SEC. 2. INCREASED MEDICARE REIMBURSEMENT FOR PHYSICIAN ASSISTANTS.

(a) IN GENERAL.—Section 1842(b)(12) of the Social Security Act (42 U.S.C. 1395u(b)(12)) is amended—

(1) by striking "a physician assistants" in subparagraph (A) and inserting "physician assistants";

(2) by striking "65 percent" in subclause (I) of subparagraph (A)(ii) and inserting "applicable percentage (as defined in subparagraph (B))";

(3) by striking subclause (II) of subparagraph (A)(ii) and inserting the following new subclause:

"(II) in other cases, for services of a physician assistant the applicable percentage (as so defined) of the fee schedule amount specified in section 1848, or for services of a nurse practitioner the fee schedule amount specified in such section, for the same service performed by a physician who is not a specialist."; and

(4) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) In subparagraph (A)(ii), the term 'applicable percentage' means—

"(i) 97 percent in the case of services performed by physician assistants, and

"(ii) 65 percent in the case of services performed by nurse practitioners.".

(b) BONUS PAYMENT FOR SERVICES PROVIDED IN HEALTH PROFESSIONAL SHORTAGE AREAS.—Section 1833(m) of such Act (42 U.S.C. 1395l(m)) is amended—

(1) by inserting "(1)" after "(m)"; and

(2) by adding at the end the following new paragraph:

"(2) In the case of services of a physician assistant furnished—

"(A) to an individual described in paragraph (1),

"(B) in a health professional shortage area as described in such paragraph,

in addition to the amount otherwise paid under this part, there shall also be paid to such physician assistant (or to an employer in the cases described in clause (C) of section 1842(b)(6)) (on a monthly or quarterly basis) from the Federal Supplementary Medical Trust Fund an amount equal to 10 percent of the payment amount for the service under this part.".

(c) REMOVAL OF RESTRICTION ON EMPLOYMENT RELATIONSHIP.—Section 1842(b)(6) of such Act (42 U.S.C. 1395u(b)(6)) is amended by adding at the end the following new sentence: "For purposes of clause (C), an employment relationship may include any independent contractor arrangement, and an employer status shall be

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determined in accordance with the law of the State in which the services described in such clause are performed.".

(d) REMOVAL OF RESTRICTION ON SETTINGS.—Section 1861(s)(2)(K)(i) of such Act (42 U.S.C. 1395x(s)(2)(K)(i)) is amended by striking "(I) in a hospital" and all that follows through "shortage area".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after July 1, 1993.

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